

# United States District Court

## DISTRICT OF NEW JERSEY

Attorney(s): Tim Vawter, pro se, Office Tel# 732- 431-5024  
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WILLIAM T. WALSH, CLERK

Attorney(s) for

Tim Vawter, pro se, and on behalf  
of others who may be unaware of  
the offenses or unable to sue

Plaintiff(s)

VS.

Federal government

Defendant(s)

CIVIL ACTION #

**Motion for Preliminary  
Injunction, and for Order  
to deem unconstitutional**

**Please Take Notice** that on

or as soon

thereafter as counsel may be heard, the Plaintiff shall make application to  
the United States District court for New Jersey, United States courthouse  
in Trenton, NJ, in accordance with F.R.C.P. Rule 7 (b) (1), for a *Preliminary*

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*Injunction to forbid forced flu vaccinations, on the following grounds:*

**1. Forcing flu vaccines on the public**

There is a preponderance of evidence to show the federal government will force Americans to be given a flu vaccination which will cause "injury-in-fact" damages to some citizens, and, that it will violate their constitutional rights if they are forced to take these vaccines. There is factual evidence to show the flu vaccines being readied for late 2009 and 2010 contain heavy metals such as thimerosal mercury, aluminum and other toxins which will cause "injury-in-fact" damages. Because the manufacture of the flu vaccines involves first destroying a live flu virus, there is a possibility that live flu virus will inadvertently be in some of the vaccines, thus causing even more damages to people who receive it, and thus spreading the virus.

2. The Plaintiff, Tim Vawter, is bringing this matter to the Court with immediacy because the Defendant, the federal government, publicly stated it will force flu vaccines onto the American public against their will.

Secondly, the highly reputable UK newspaper called *the Telegraph* reported that too much virus was added to vaccines during tests on

homeless people, causing twenty one of them to die (see Exhibit A; the article entitled *Homeless people die after bird flu vaccine trial in Poland*, published by *the Telegraph* newspaper website on July 2, 2009).

3. One of the major flu vaccine manufacturing company, Baxter Vaccines, appears to be involved in the accidental release of live bird flu virus on a public train in Switzerland. The evidence shows that the dry ice protecting five ampoules of live bird flu virus exploded on a passenger train in Switzerland on or about the date of April 27, 2009 (see Exhibit G; the article entitled *Swine flu container explodes on train*, published by the *Der Spiegel* magazine website on April 28, 2009).

4. The Plaintiff Tim Vawter is also asking the federal court, if it deems it necessary and wise, to use federal law enforcement to initiate its own civil and criminal investigation into this flu vaccine safety issue, as federal law allows for this.

5. The federal govt says it will soon force flu vaccinations on the American public, just as it did in 1976 when the federal govt then had to halt those flu

vaccinations because they caused more injuries than they prevented (held in Chambers, see Exhibit H,; video #1. *1976 forced flu vaccination disaster* - Mike Wallace of 60 Minutes, CBS news Part 1, produced by CBS news).

This constitutional violation is especially worse because thimerosal mercury is an ingredient in these flu vaccines to be forced on the public.

This bespeaks of the days when Hitler's Nazi doctors forcibly gave shots containing adjuvants to innocent people. I would remind that the Nazi ideology was stamped out precisely because of those atrocities, and it is unwise for the federal govt to follow in the same path as the Nazis.

America is a nation of civil laws, not a dictatorship that gives proclamations bypassing the courts and congress to demand forced vaccinations containing hazardous ingredients known to cause damages.

#### **6. Violation of the Plaintiff's 5<sup>th</sup> Amendment constitutional right**

If the federal govt's rule mandating forced vaccinations is allowed to stand, the Plaintiff's 5<sup>th</sup> amendment right of the constitution will also be violated because forced vaccinations will cause a citizen to be deprived of life, liberty, or property, without due process of law.

## **7. Violation of the Plaintiff's 4<sup>th</sup> Amendment constitutional right**

If the Injunction and Order is denied, then the federal govt's forced vaccination program will allow it to enter a person's house to force him to be vaccinated, or to take him somewhere to be vaccinated. This will violate his 4<sup>th</sup> amendment constitutional right which guarantees a person the right to be secure in his house.

8. After the vaccine debacle of 1976, vaccine makers like Baxter Vaccines want total immunity from being sued, forbidding people who suffer damages from filing any lawsuits against them, no matter how serious the injuries are (see Exhibit B; *Legal immunity set for swine flu makers*, published on the MSNBC website on July 20, 2009). This prohibition against lawsuits also gives the green light to the vaccine makers to include thimerosal mercury in their new flu vaccines. The Centers for Disease Control (hereafter known as CDC) admits that the new flu vaccines contain thimerosal mercury, which is known to cause autism in children who have lowered immune systems, and can cause damages to regular citizens (see Exhibit C; *Thimerosal in seasonal influenza vaccine*, published by the CDC on July 27, 2009). Autism profits no one, except for the medical

companies who earn money when they treat autism for the rest of the child's life.

### **9. Violation of the Plaintiff's 7<sup>th</sup> Amendment constitutional right**

The federal govt has issued a proclamation, through the HHS secretary to apparently agree with the United Nations. This proclamation states a person cannot sue for any damages received from the flu vaccine, attempting to bypass congress and the federal court system (see Exhibit B). If the Defendant's proclamation forbidding vaccine lawsuits is allowed to stand, then the Plaintiff's 7<sup>th</sup> amendment right to sue will be violated if they suffer damages from a vaccination. Other citizens will also be denied their 7<sup>th</sup> amendment rights because they will have no way to recover for vaccine damages, no matter how serious they are. The Plaintiff is submitting an *Order* to deem unconstitutional that proclamation forbidding lawsuits from people who suffer damages from the flu vaccines of 2009 and 2010. When issued, that Order may be appealed by the *Defendant*, but the *Defendant* will have to present factual proof in federal court, not just hearsay or advertising slogans, as to why the United States constitution says it's okay to forbid people from suing to recover for damages resulting

from flu vaccines.

10. The federal govt has failed to properly investigate factual evidence submitted by esteemed medical professionals over many years which proves flu vaccines have caused, and will continue to cause, serious damages to some of the people who receive those vaccines. Medical professionals argue the flu vaccines harm not just certain people, but almost everyone who receives them. The federal government has ignored factual evidence proving this, but instead listens to a profit run group of vaccine manufacturers who stand to earn billions of dollars as the federal govt orders forced vaccinations on the public in late 2009 and 2010.

11. The evidence shows the vaccine makers, the CDC and the World Health Organization (hereafter referred to as the WHO), have advertised wild claims of flu pandemics all over the place. All based on little or no factual evidence, thereby creating hysteria to cause the Defendant to then purchase huge numbers of vaccines. There is a preponderance of evidence to show that the federal govt so poorly trained its employees, they eagerly agreed with the wild claims made by the WHO when the WHO

declared a massive Phase 6 "Influenza Pandemic", even though only a few hundred people worldwide had died of this flu virus, when far more people die each year of the regular flu.

12. The federal govt has published a preposterous chart listing the WHO's "Phase 6 Influenza Pandemic" as being equal to an earthquake measuring 8.0 on the Richter scale (see Exhibits D & E; the *Disaster Planning Continuum* chart as published by the federal govt on page 29 of it's training manual entitled *Pandemic Influenza Preparedness, Response and Recovery*). The reason the chart is preposterous, is because there is no factual criteria required for an "Influenza Pandemic" to be declared by the United Nation's WHO. The United Nations is a collective of numerous different nations, most of whom have very different laws than the United States, where their leaders can simply "declare or proclaim things to be so" and their population must obey. This being done without any judicial review. I would add, that most of the countries who form the United Nations regularly team up to vote against Israel where, again, factual evidence to show a point is not required, just that some big "strong arm leaders" decide to make proclamations against Israel, which these UN nations vote in favor



of. These are the nations who have a majority vote and who run the UN's World Health Organization, a group who is opposed to Israel's existence and who now wants to declare every nation as having an "Influenza Pandemic".

13. The federal govt has failed to properly verify the WHO's "Phase 6 Influenza Pandemic" proclamation by using factual evidence, sworn testimony, witnesses being questioned and even lie detector tests when completely preposterous statements are made. It is one thing for the WHO to proclaim America is now in a Phase 6 influenza pandemic, yet it's entirely something else for the WHO to prove it, where factual evidence and affidavits are presented, hearings are conducted, people are testifying under oath, and similar. One company profiting from all this, GlaxoSmithKline, stands to make \$4 billion from its two flu vaccine drugs. GlaxoSmithKline's chief executive Andrew Witty, said his company has been preparing for the flu pandemic for 3 years and had spent over \$1 billion on expanding its factories. Any wonder why we have seen such advertising for the flu vaccines?

14. If a company has \$1 billion already invested, and they stand to bring in \$4 billion, it could easily spread around \$100 million or so on public relations efforts. This could translate into 1000 payments of \$100,000.00 each to almost anyone, to 1000 of the top TV newscasters in America, to doctors, journalists, health care professional and more. Some might accept these payments, some might not, but there are often no laws against these payments. But there are laws requiring the federal govt properly train its employees to spot this activity and require them to prove the flu pandemic with factual evidence.

15. A good example of the "fake fear" being spread by these interests is the story of a little girl in England purported by the WHO to have died of swine flu because she wasn't vaccinated. A more thorough investigation later revealed the girl actually died of septic shock due to tonsillitis. The WHO, the CDC and numerous vaccine companies have been "advertising for billion dollar vaccine revenues" with their dire yet apparently concocted warnings of flu pandemics all over the place. In fact, and much to the dismay of the vaccine makers, the evidence shows a small number of people have died from these new flu viruses anywhere.

16. When influential TV newscasters questioned the WHO proclaiming a "Phase 6 influenza pandemic" without any factual evidence to prove it, the WHO's response was to simply no longer track swine flu cases (see Exhibit F; WHO says it plans to stop tracking swine flu cases, published by the New York Times website on July 16, 2009). This is rather incompetent behavior on the part of an organization designated to be the "main hub" for information gathering on the profitable influenza viruses.

17. The federal govt is negligent in failing to provide any decent funding for alternative methods of destroying the flu virus, such as Dr. Royal Rife's electrical method, which does not involve inserting a needle into a person's arm, nor does it include thimerosal mercury.

Tim Vawter

*Plaintiff signature, Tim Vawter, pro se*

7/31/09

*Date*

Exhibits;

A; article entitled *Homeless people die after bird flu vaccine trial in Poland*, published by *the Telegraph* newspaper website on July 2, 2009

<http://www.telegraph.co.uk/news/worldnews/europe/poland/2235676/Homeless-people-die-after-bird-flu-vaccine-trial-in-Poland.html>

B; article entitled *Legal immunity set for swine flu makers*, published on the MSNBC website on July 20, 2009

Source; <http://www.cdc.gov/FLU/ABOUT/QA/thimerosal.htm>

C; article entitled *Thimerosal in seasonal influenza vaccine*, published by the CDC on July 27, 2009 <http://www.cdc.gov/FLU/ABOUT/QA/thimerosal.htm>

D; article entitled the *Disaster Planning Continuum* chart as published by the federal govt on page 29 of it's training manual entitled *Pandemic Influenza Preparedness, Response and Recovery*

<http://www.pandemicflu.gov/plan/pdf/CIKRpandemicInfluenzaGuide.pdf>

E; article entitled the *Disaster Planning Continuum* chart as published by the federal govt on page 29 of it's training manual entitled *Pandemic Influenza Preparedness, Response and Recovery*

<http://www.pandemicflu.gov/plan/pdf/CIKRpandemicInfluenzaGuide.pdf>

F. article entitled *WHO says it plans to stop tracking swine flu cases*, published by the New York Times website on July 16, 2009).

Obtained from - <http://www.nytimes.com/2009/07/17/world/17flu.html>

G; article entitled *Swine flu container explodes on train*, published by the *Der Spiegel* magazine website on April 28, 2009

<http://www.spiegel.de/international/zeitgeist/0,1518,621598,00.html>